

**Unconfirmed**



Minutes of a Meeting of the **Planning Committee North** held in the Conference Room, Riverside, Lowestoft, on **Tuesday, 11 February 2020 at 2.00 pm**

**Members of the Committee present:**

Councillor Paul Ashdown, Councillor Jocelyn Bond, Councillor Norman Brooks, Councillor Jenny Ceresa, Councillor Linda Coulam, Councillor Graham Elliott, Councillor Malcolm Pitchers

**Other Members present:**

Councillor Judy Cloke, Councillor David Ritchie

**Officers present:**

Liz Beighton (Planning Development Manager), Joe Blackmore (Development Management Team Leader - North), Mia Glass (Assistant Planning & Enforcement Officer), Matt Makin (Democratic Services Officer), Iain Robertson (Area Planning & Enforcement Officer)

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**Announcements**

The Chairman opened the meeting and announced that item 6 of the agenda, relating to planning application DC/19/1141/OUT (Land to the West of Copperwheat Avenue, Reydon), had been withdrawn.

It was explained that a late change in the recommendation from a statutory consultee (Suffolk County Council) had been received the previous day, 10 February 2020, which was significantly different from the one received from the consultee previously and contained within the report.

The Chairman stated that he had been advised by the officers that introducing such substantial changes at the meeting would likely cause confusion and that deferring the item to a future meeting of the Committee would ensure that the new recommendation could be accurately reflected in an updated version of the report.

It was anticipated that the application would be considered at the next meeting of this Committee on Tuesday 10 March 2020, although this was to be confirmed.

**1 Apologies for Absence and Substitutions**

Apologies for absence were received from Councillor Craig Rivett and Councillor Andrée Gee.

Councillor Tony Goldson acted as substitute for Councillor Rivett and Councillor Tony Cooper acted as substitute for Councillor Gee.

## **2 Declarations of Interest**

Councillor Ceresa declared a Local Non-Pecuniary Interest in item 11 of the Agenda as Ward Member for Carlton Colville.

Councillor Elliott declared a Local Non-Pecuniary Interest in item 12 of the Agenda as Ward Member for Beccles.

## **3 Declarations of Lobbying and Responses to Lobbying**

Councillors Ashdown, Ceresa, Brooks, Cooper, Coulam, Elliott, Goldson and Pitchers all declared that they have been lobbied by email on items 7, 8 and 9 of the Agenda.

Councillor Bond declared that she had been lobbied by email on item 9 of the Agenda.

## **4 Minutes - 19 December 2019**

### **RESOLVED**

That the Minutes of the Meeting held on 19 December 2019 be confirmed as a correct record and signed by the Chairman.

## **5 Minutes - 14 January 2020**

### **RESOLVED**

That the Minutes of the Meeting held on 14 January 2020 be confirmed as a correct record and signed by the Chairman.

## **6 East Suffolk Enforcement Action - Case Update**

The Committee received report **ES/0294** of the Head of Planning and Coastal Management.

The report was a summary of the status of all outstanding enforcement cases for the Council where enforcement action had been sanctioned under delegated powers up until 27 January 2020.

It was confirmed that the appeal regarding Land at Dann Lane, Kessingland, had been dismissed by the Planning Inspectorate (PINS) the previous week, so enforcement matters at that site would now proceed.

The Committee was advised that a visit to Pine Lodge, Hinton, had taken place the previous week to ensure compliance; there had not been full compliance on the site and officers were discussing next steps regarding enforcement action.

### **RESOLVED**

That the report concerning Outstanding Enforcement matters up to 27 January 2020 be received and noted.

## **7 DC/19/1141/OUT - Land to the West of Copperwheat Avenue, Reydon**

The application was **WITHDRAWN** from the agenda as there had been a late change in the recommendation from a statutory consultee (Suffolk County Council), received on Monday 10 February 2020. This new recommendation was significantly different from the one that was contained within the report.

Officers had advised the Chairman introducing such substantial changes at the meeting would likely cause confusion and that deferring the item to the next meeting of the Committee would ensure that the new recommendation could be accurately reflected in an updated version of the report.

## **8 DC/18/4429/ARM - Part Land surrounding Waveney Pool, St John's Road, Bungay**

The Committee received report **ES/0296** of the Head of Planning and Coastal Management, which related to planning application DC/184429/ARM.

The application sought approval of reserved matters following the grant of outline planning permission in 2016 (Ref: DC/14/4193/OUT) for the development of "*Outline Application with all matters reserved apart from access for up to 150 new dwellings (including affordable housing), associated infrastructure, open space and up to 3ha of employment land (comprising uses within use class B1 (including starter units) and use class B2)*" on land surrounding Waveney Swimming Pool situated on the South side of Bungay.

The application related to the residential phase of the development (150 dwellings) which also included 3 no. B1 units. The matters under consideration related to the detailed design of the development in terms of access, layout, appearance, landscaping and scale. Access was partially considered during the outline application in so far as the vehicular access to the site already existed and the suitability of this was found to be acceptable. Access to the employment phase of the development was also dealt with at outline stage.

The application was before the Committee as it was considered necessary by the Referral Panel for an application of this scale to be determined by Elected Members.

The Committee received a presentation on the application from the Area Planning and Enforcement Officer; the presentation also covered planning application DC/18/5082/FUL, which was also on the agenda as report **ES/0297** and was connected to this planning application.

The site locations for both applications were outlined and the Committee's attention was drawn to how the sites related to two sites allocated for development in the Waveney (East Suffolk) Local Plan, WLP5.1 and WLP5.2.

The housing area of the outline planning permission was identified along with its relationship to the employment area to the south of the application site.

The Committee was provided the detail of what had been approved under the outline planning permission.

Photographs were provided which displayed the access into the site, the frontage of the site, the views along the northern side of the site (where it would join with an existing development), the views from the western side of the site, and the views to the northern side of the site.

The proposed layout plan was demonstrated, and the Committee was advised that the density of the proposed development would be 25 dwellings per hectare. A banked area of grass was at the front of the site and the Area Planning and Enforcement Officer outlined where different housing types would be located on the site along with the open spaces that would spread out across the development. It was noted that the proposed bungalows would be located on the northern edge of the site in order to minimise the impact on the existing housing development. The site would also have a cycle link with the existing development, in line with the Waveney Cycle Strategy.

The main road access to the site was detailed. It was noted that there had been objections from a neighbouring landowner who considered that the proposed road layout would prejudice the development of the remainder of the sites identified in WLP5.1 and WLP5.2. The Area Planning and Enforcement Officer advised the Committee that the proposed road layout had met the criteria of the Highways Authority and that there was not a masterplan for the allocated sites.

Photographs were provided which displayed the footway and cycleway connections through the northern boundary of the site.

A series of drawings were displayed which provided the perspective of the proposed street scene. The Area Planning and Enforcement Officer detailed the mix of materials proposed and the Committee was provided with drawings detail the mix of house types.

A landscaping plan was received, that detailed the species to be planted as well as the inclusion of ecological related items such as birdboxes, batboxes and hedgehog-friendly fencing. The proposed planting was considered to be of a suitable size to add to the landscape over time. The types of play equipment proposed were also detailed.

The Area Planning and Enforcement Officer displayed the scheme approved in the outline planning permission for an attenuation basin, that would serve the proposed housing to be developed. It was confirmed that soakaways were not feasible for the site and that surface water would need to be directed to the Tin River using a combination of large diameter pipes, permeable pavements and the attenuation basin.

The second proposed scheme for the attenuation pond, which was the subject of planning application DC/18/5082/FUL, was outlined. The Area Planning and Enforcement Officer advised the Committee that this scheme had been submitted in order to provide multiple drainage options for the development.

The key issues were summarised as being the background and history of the site, the allocation of the site in the Local Plan, design, reserved matters (relating to access, layout, scale, appearance and landscaping), open spaces, ecology, car parking, drainage strategy, sustainable construction, and lifetime design.

Officers were of the view that the scheme was suitably designed and would bring new housing into supply and enable the economic benefits of the allocated employment land and would allow the remainder of the allocation to WLP5.1 and WLP5.2 to be brought forward.

The recommendation to approve, as set out in the report, was outlined to the Committee.

The Chairman invited questions to the officers.

It was confirmed that the condition related to the completion of the 112th house was regarding access to the employment site, which would be subject to a further Approval of Reserved Matters application.

The proportion of affordable housing was stated to be 5%. When asked by a member of the Committee why this was significantly below the prescribed requirement the Planning Development Manager advised that the level of affordable housing had been established by the outline planning permission.

The Area Planning and Enforcement Officer noted that the parking provision for the housing development was in accordance with the Highways Authority's guidance and that no objections had been received in its response to the consultation. The Highways Authority had made some recommendations for amendments which had been accepted by the applicant.

The Planning Development Manager assured the Committee that a condition for a Construction Management Plan could be added to any planning permission, to ensure that construction traffic did not impede with other traffic.

It was confirmed that a drainage system would be in place prior to the 100th property being occupied and that this target related to the developer registering the system with Suffolk County Council. The Planning Development Manager added that conditions would be attached to any planning permission to ensure that the attenuation basin was maintained appropriately.

In response to a question regarding road linkage with future development on the site, officers reiterated the comments received from the Highways Authority regarding its acceptance of the proposed road system regarding the access to any future development.

It was stated by the Planning Development Manager that any development would be contrary to the outline planning permission if the business elements of the site were not brought forward as a result of the residential development.

*The meeting was adjourned at this point (2.31 pm) to allow officers to address issues with the volume of the public address system in the Conference Room. The meeting was reconvened at 2.35 pm following the resolution of these issues.*

Following the resumption of the meeting, the Area Planning and Enforcement Officer recapped some of the presentation that members of the public had been unable to hear.

The Chairman invited Ms Collins and Mr Bradley, representing Bungay Town Council, to address the Committee regarding both planning applications.

Ms Collins addressed the Committee first, regarding planning application DC/18/4429/ARM. She said that the Town Council welcomed the housing development allocation as stated in the Local Plan as it met the housing needs of Bungay. She considered that the application before the Committee would not deliver housing that would meet the current and future needs of the town through well-designed and efficient homes.

It was highlighted that the applicant had not consulted the community before submitting the scheme and it was Ms Collins' opinion that the development would only meet the very basic housing needs of Bungay and would deliver an enclave that would be cluttered by on-street parking, and would prevent further development of the allocated site.

Ms Collins drew the Committee's attention to documentation previously submitted by Bungay Town Council that detailed the application's non-compliance with local and national planning policies. Ms Collins said that the Town Council was not demanding an award-winning development but wanted a development that was suitable for Bungay.

Ms Collins reiterated the Town Council's concerns that the development would have a negative impact for decades to come and suggested that refusing the application would allow a masterplan to be formulated for the allocated site.

Mr Bradley addressed the Committee, regarding planning application DC/18/5082/FUL. He stated that the application was intertwined with planning application DC/18/4429/ARM and that one could not be discussed without the other. Mr Bradley highlighted the concerns raised by the Town Council previously in respect of the attenuation basin and considered that the cumulative impact of all the allocated development in the area had not been considered by the applicant.

Mr Bradley was of the opinion that given the incremental development that would occur, a cumulative impact assessment was required and that this would be essential for any development within the Tin River area.

The Chairman invited questions to Ms Collins and Mr Bradley.

Mr Bradley reiterated that the attenuation basin would service future development allocated in the area and not just the proposed 150 houses and was concerned regarding the amount of drainage that would be directed towards the Tin River.

The Chairman invited Mr Douglas, agent for the applicant, to address the Committee regarding planning application DC/18/4429/ARM.

Mr Douglas advised that significant changes had been made to the scheme following consultation with both Planning officers and Suffolk County Council. He detailed the changes to the views in and out of the site, the updated links to the neighbouring development and noise attenuation for the swimming pool. He highlighted that following discussions with the Highways Authority a road layout had been designed that would allow access to the west of the allocation site as well as emergency access to the site.

Mr Douglas noted the site layout plan in the Officer's report that demonstrated the distribution of housing at the north of the site and how it minimised the impact on existing dwellings, and noted the number of open spaces both within and to the south of the site.

The level of car parking was stated to be in excess of what was required by the Highways Authority's guidance and Mr Douglas considered that tandem parking had been avoided wherever possible. He explained that focal dwellings would be placed at the end of roads to act as 'vista stoppers'.

Mr Douglas concluded that the proposed development provided the required mix of housing and complied with planning policy, and that the design would reflect the local vernacular.

The Chairman invited questions to Mr Douglas.

A member of the Committee asked what guarantees could be provided regarding the level of affordable housing. Mr Douglas confirmed that the lower level of affordable housing had been agreed at the outline stage due to the inclusion of employment site and the associated infrastructure costs; he confirmed that where this was positioned would allow delivery of whole affordable housing element during the first phase of development.

Mr Douglas confirmed that the employment units would be delivered on completion of the 75th dwelling and that access would be delivered on completion of the 112th dwelling.

In response to a question regarding environmental systems, Mr Douglas said that systems such as rainwater harvesting had not been considered given the satisfactory arrangements provided by the proposed drainage system.

The Chairman invited Councillor Cloke, Ward Member for Bungay, to address the Committee.

Councillor Cloke began by addressing planning application DC/18/4429/ARM. She referred to policy WLP5.2 of the Local Plan which allocated the site for development. She noted that the policy required a transport assessment and travel plan to be submitted with any application and noted that this had not occurred in this case. She added that an overall plan for the site was also required by WLP5.2 and this had also not been submitted. Councillor Cloke expressed concern that without such a masterplan, emergency access to the site could not be clearly defined.

Councillor Cloke considered that the proposed development would restrict access to the remainder of the allocated site, which was to be developed by a different company. She considered that this was disingenuous to the other developer as the proposed connecting routes would not be sufficient for ingress and egress to the remainder of the site. It was noted by Councillor Cloke that the Highways Authority, as recently as 8 October 2019, had requested the road layout to be amended.

Councillor Cloke stated that she welcomed new housing in Bungay, but not at any cost. She urged the Committee to refuse the application until a masterplan, transport plan and other required assessments were in place.

Regarding planning application DC/18/5082/FUL, Councillor Cloke suggested that this be deferred and not approved until the previous application was concluded.

There being no questions to Councillor Cloke, the Chairman invited further questions to the officers.

The Planning Development Manager confirmed that both the Flood and Highways Authorities had provided comments on the application before the Committee that stated they considered the proposed drainage and road layout to be acceptable. She advised the Committee that any future application related to the site allocated by WLP5.2 could not be considered at this time.

The Committee was advised that as the application was for approval of reserved matters, the assessments and plans highlighted by Councillor Cloke were not required. The Planning Development Manager explained that the requirement for such, as stated in WLP5.2, was only applicable to applications for outline or full planning permission.

A member of the Committee noted the size of the proposed attenuation basin and queried if this should be approved without taking the future development of the allocated site into consideration. The Development Management Team Leader noted that the attenuation basin would be part of a drainage strategy for the wider allocated site and that future developments would be served by what had been approved in the outline planning permission or by the second option that was before the Committee.

In respect of the single highway in and out of the site, it was reiterated that the Highways Authority had deemed this acceptable. The Area Planning and Enforcement Officer noted that bus routes would be expected to go through the employment area of the site.

The Chairman invited the Committee to debate planning application DC/18/4429/ARM.

Several members of the Committee were opposed to the application. They considered that it did not provide a holistic approach to the allocated site and would severely impact development of the wider area allocated in WLP5.2 as it would make it difficult for other developers to connect to what was being proposed. Concerns were also raised about the impact that the development would have on traffic in the area, given the proximity of other amenities to the site.

Two members of the Committee stated that they could not support the application and would be voting to refuse it.

Other Members acknowledged that the application was for approval of reserved matters and that the principle of development had been established by the outline planning permission.

A member of the Committee queried if the application could be refused on the grounds that it would have a detrimental impact on the ability to deliver other development on the allocated site. The Planning Development Manager advised that this would not be grounds for refusal, and it would be up to future developers to link to what existed on the site. She reiterated that the application was for approval of reserved matters and that outline planning permission had been granted, and that the application needed to be determined with this in mind.

Councillor Ceresa, the Vice-Chairman, accepted that a better scheme could have been developed but acknowledged that the Committee was required to determine the one that was before it. She noted the comments from statutory consultees, which accepted elements of the development, and proposed the recommendation to approve, as set out in the report. This was seconded by Councillor Pitchers.



There being no further debate on application DC/18/4429/ARM the Chairman moved to the recommendation as set out in report **ES/0296**. The recommendation was proposed, seconded and by a majority vote **FAILED**.

The Chairman sought an alternative recommendation for refusal.

During further debate, members of the Committee sought clarification on whether the application could be deferred to allow officers to undertake discussions with the applicant regarding the Committee's concerns about the impact of the proposed development on the wider allocated site. It was also suggested by one member of the Committee that the other landowner on the allocation site should be involved in any conversations.

The Planning Development Manager advised that officers could not insist that the applicant discuss the application with the other landowner but that officers could discuss with the applicant about how other developments within the allocated site could be linked, and that the Highways Authority could invited to any discussions.

On the proposition of Councillor Brooks, seconded by Councillor Cooper it was by unanimous vote

#### **RESOLVED**

That the application be **DEFERRED** to allow officers to undertake discussions with the applicant and the Highways Authority regarding the Committee's concerns about the impact of the proposed development on the wider allocated site.

#### **9 DC/18/5082/FUL - Part Land East of Dukes Farm, St John's Hill, Bungay**

The Committee received report **ES/0297** of the Head of Planning and Coastal Management, which related to planning application DC/18/5082/FUL.

The application sought full planning permission for an attenuation basin which formed part of the drainage strategy for a development of 150 residential dwellings which was granted outline planning permission within Ref: DC/14/4193/OUT; detailed proposals for the design of this development were considered alongside this proposal within reserved matters application DC/18/4429/ARM, which was on the meeting agenda under report **ES/0296** of the Head of Planning and Coastal Management.

Within these associated applications an 'option 1' proposal for an attenuation basin had been approved in outline form. The purpose of the application was to provide a second option for the location of the attenuation basin.

The Committee received a presentation on the application from the Area Planning and Enforcement Officer; the presentation also related to planning application DC/18/4429/ARM. The details of this presentation are as set out in item 7 of these Minutes.

Following the determination of planning application DC/18/4429/ARM, the Chairman invited the Committee to debate planning application DC/18/5082/FUL.

Members of the Committee agreed that as planning application DC/18/4429/ARM had been deferred to allow officers to undertake discussions with the applicant and the Highways

Authority regarding the Committee's concerns about the impact of the proposed development on the wider allocated site, and the link between this application and the one being debated, that planning application DC/18/5082/FUL should also be deferred to be determined consecutively with planning application DC/18/4429/ARM.

On the proposition of Councillor Ashdown, seconded by Councillor Brooks it was by unanimous vote

## **RESOLVED**

That the application be **DEFERRED** pending the resolution of outstanding issues related to the linked planning application DC/18/4429/ARM, so that both applications can be determined consecutively.

*Following the conclusion of this item the meeting was adjourned for a short break (3.31 pm). The meeting was reconvened at 3.41 pm.*

### **10 DC/18/4104/OUT - Land off Pilgrims Way, Bungay**

The Committee received report **ES/0298** of the Head of Planning and Coastal Management, which related to planning application DC/18/4104/OUT.

The application sought outline planning permission for the development of the site for up-to 40 residential dwellings with all matters reserved for later consideration.

The Committee received a presentation on the application from the Area Planning and Enforcement Officer. The site's location was outlined, and the Committee was shown aerial photos of the site. The site was confirmed to be within the physical limits of Bungay and adjacent to the Conservation Area. The site had formerly been allotment land and had been disused for several years.

The Area Planning and Enforcement Officer advised that a previous sustainability appraisal had concluded the site was at risk of flooding was not suitable for development; the applicant had provided remodelling of flood data which stated the site was now within Flood Zone 1.

Photographs of the site were provided which displayed the access to the site from Wingfield Street, the proposed access from Wingfield Street, access to the site from Pilgrims Way, garages currently on the site, and views from the rear of the garages.

An ecology assessment had been completed and Suffolk Wildlife Trust had not objected to the application and had recommended conditions and mitigation measures. This assessment had been verified by the Council's own ecologist.

Further photographs of the site as viewed from Garden Close were displayed.

The Committee was provided with an indicative block plan of the site. It was confirmed that 35% of the total dwellings would be one or two bedroom properties the proportion of affordable housing would be 30%.

The Area Planning and Enforcement Officer explained that details of the access to the site would be dealt with by way of reserved matters but noted the proposed alterations to the

access from Wingfield Street. The Highways Authority was of the view that the proposed access could serve a number of dwellings.

Maps from the Strategic Flood Risk Assessment (SFRA) undertaken by Waveney District Council in 2008 were displayed. At that time, the application site was situated within Flood Zone 2 when accounting for climate change. The Environment Agency flood zone maps detailed that the site was within Flood Zone 1. The most recent Strategic Flood Risk Assessment, undertaken by Waveney District Council in 2018, did not remodel data relating to the Tin River and therefore the findings of the 2008 DFRA were the most up-to-date data.

The Committee was advised that the applicant had challenged the findings of the 2008 assessment and had provided remodelled data relating to the Tin River. This data had been independently assessed and the results were displayed within the report, indicating that the site was within flood zone when accounting for climate change.

The Area Planning and Enforcement Officer detailed the drainage strategy and explained that soakaways had been determined as the best option for dealing with surface water run-off. The Flood Authority was content with the initial drainage strategy and had recommended a condition to ensure a full strategy be provided.

The key issues were summarised as background (consideration of site within sustainability appraisal to Local Plan), principle of development, flood risk, drainage strategy, heritage impact (conservation area/archaeology), highway issues (access and transport statement), density/housing mix, open space, affordable housing, ecology, sustainable construction/lifetime design, financial contributions, and design parameters.

The recommendation to approve, as set out in the report, was outlined to the Committee.

The Chairman invited questions to the officers.

It was confirmed that cycle access via Garden Close had been included via condition.

In response to concerns over the challenge to Flood Risk Assessment data, the Area Planning and Enforcement Officer noted that the 2018 assessment had not superseded the 2008 assessment in relation to the Tin River, so the data was able to be challenged.

The Chairman invited Ms Garrity, who objected to the application, to address the Committee.

Ms Garrity considered that approving the application would conflict with planning policies and contradict past investigations of the site. She said that the development would be at risk of flooding, would have an adverse impact on local traffic and a negative impact on the conservation area.

It was noted by Ms Garrity that a previous application on the site had been refused due to risk of flooding; she described the site as being in a low lying basin and considered the developer was aware of the flood risk issue. Ms Garrity stated that surface water run-off would be redirected to other surrounding areas including the Tin River and that flooding of that river from heavy rain would be exacerbated by the development.

Regarding traffic issues, Ms Garrity said that Wingfield Street was often busy and included narrow pavements, which provided a route to the local school. She considered that parking spaces for existing residents would be lost.

It was highlighted by Ms Garrity that the proposed density was much higher and more excessive than what was permitted in the conservation area and stated that special attention was to be paid to the enhancement of conservation areas. Ms Garrity added that a survey completed by Bungay Town Council suggested the type of properties proposed would not meet the town's housing needs.

There being no questions to Ms Garrity the Chairman invited Mr Bradley, representing Bungay Town Council, to address the Committee.

Mr Bradley noted the high density of housing proposed for the site as well as the site's rejection for allocation in the East Suffolk (Waveney) Local Plan due to its flood risk. He said that this risk would only increase.

In respect of the remodelling of data, Mr Bradley highlighted that the data for the Tin River had not been remodelled in the 2018 assessment and was unsure if climate change had been incorporated into the remodelling provided by the applicant. Mr Bradley held grave concerns about the site being moved into Flood Zone 1, only ten years after it had been allocated to Flood Zone 3.

It was confirmed that Bungay Town Council recommended that the application be refused, pending further acceptance tests of flood risk data. Mr Bradley noted that the application was contrary to policy WLP8.24 of the Local Plan, which stated that new sites not allocated should not be submitted for development where there was a risk of flooding.

There being no questions to Mr Bradley the Chairman invited Councillor Cloke, Ward Member for Bungay, to address the Committee.

Councillor Cloke stressed that the site should not be considered for development highlighting that it had not been allocated in the Local Plan, was derelict and overgrown, and was full of wildlife that would be impacted. Councillor Cloke noted that the site had been previously refused for housing development.

Given the extrapolation of car movements on and off the site, Councillor Cloke said that this would add significant traffic to roads already busy and with parking on both sides, which often made it impassable.

Councillor Cloke welcomed new development in Bungay but considered this application to be gross overdevelopment on an unsuitable site and urged the Committee to refuse it.

There being no questions to Councillor Cloke, the Chairman invited further questions to the officers.

The Area Planning and Enforcement Officer confirmed that the density would be 35 dwellings per hectare which was in accordance with planning policy. He considered that housing density in surrounding areas was already higher than this.

The Planning Development Manager advised that the outline planning permission was seeking to establish the principle of development and sought an upper limit of 40 dwellings and that the amount of housing sought at the approval of reserved matters stage could be lower, dependent on final layout and detailed design. She stated that any reserved matters application would need to comply with planning policy.

When asked by a member of the Committee why the site was being considered, as it was not allocated in the Local Plan, the Planning Development Manager explained that it was considered to be a windfall site as it was within the physical limits boundary of Bungay.

Another member queried that information from local residents on flooding did not tally with information provided by the Environment Agency and the applicant. The Planning Development Manager said that she could not comment on the Environment Agency's data and reiterated that in terms of the data provided by the applicant, independent expert advice had been sought along with advice from Coastal Partnership East, both of which considered the development acceptable in terms of flood risk.

The Chairman invited the Committee to debate the application that was before it.

A member of the Committee said that he could not support the development of this site in principle. He was aware that it had been considered when formulating the Local Plan and had been ruled out due to risk of flooding. He highlighted the risk of flooding identified in both the 2008 and 2018 assessments and was frustrated that this had been dismissed in later assessments. He was of the view that the site was unsuitable for development.

Several other members of the Committee also expressed concern due to the risk of flooding on the site and the conflicting information on the level of flood risk.

There being no further debate the Chairman moved to the recommendation, as set out in the report. The recommendation was not proposed or seconded and therefore **FAILED**.

The Chairman sought an alternative recommendation for refusal.

Members of the Committee considered that the application should be refused due to concerns around the flood risk on the site. The Planning Development Manager advised that the Committee, if it was so minded, could resolve to refuse the application as it was contrary to policy WLP8.24 of the Local Plan, which stated that new sites not allocated should not be submitted for development where there was a risk of flooding.

On the proposition of Councillor Elliott, seconded by Councillor Cooper it was by unanimous vote

## **RESOLVED**

That the application be **REFUSED** as it was contrary to policy WLP8.24 of the Local Plan, which stated that new sites not allocated should not be submitted for development where there was a risk of flooding.

The Committee received report **ES/0299** of the Head of Planning and Coastal Management, which related to planning application DC/20/0003/FUL.

Planning permission was sought for the construction of a first-floor side and single storey rear extension and replacement windows to the property which was situated within the Bungay Conservation Area. The dwelling was noted as being a building of local importance within the Conservation Area Appraisal.

The Conservation Area was protected by an Article 4 (2) direction which removes permitted development rights for such alterations which would not otherwise require planning permission. In this case it related to the replacement windows, with the door having been granted consent to be replaced in March 2019. The application was before the Committee as the applicant was employed by the Council.

The Committee received a presentation on the application from the Area Planning and Enforcement Officer. The site location was outlined, and the Committee was shown photographs which displayed the front of the property and its relationship with neighbouring properties.

The presentation detailed the existing and proposed block plans, the existing and proposed floor plans, and the existing and proposed elevations. It was confirmed that the render would match the existing building and was considered suitable for the Conservation Area.

The key issues were summarised as design, the impact on the character and appearance of the Conservation Area, the impact on neighbour amenity, and car parking.

The recommendation to approve, as set out in the report, was outlined.

There being no questions to the officers, and no public speaking on the application, the Chairman invited the Committee to debate the application that was before it.

The Vice-Chairman considered that the development would improve the street scene.

There being no further debate the Chairman moved to the recommendation as set out in the report.

On the proposition of Councillor Ceresa, seconded by Councillor Goldson it was by unanimous vote

## **RESOLVED**

That the application be **APPROVED** subject to the following conditions:

1. The development hereby permitted shall be begun within a period of three years beginning with the date of this permission.

*Reason: In accordance with Section 91 of the Town and Country Planning Act 1990 as amended.*

2. The development hereby permitted shall be completed in all respects strictly in accordance with drawing P01 and window specification drawing W01; received 02 January 2020, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

*Reason: For the avoidance of doubt as to what has been considered and approved.*

3. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building unless annotated otherwise on the drawing hereby approved.

*Reason: To ensure the satisfactory external appearance of the development.*

Informatives:

1. The Local Planning Authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning Policy Framework and local plan to promote the delivery of sustainable development and to approach decision taking in a positive way.

## **12 DC/19/3918/FUL - 79 Rushton Drive, Carlton Colville, Lowestoft**

The Committee received report **ES/0300** of the Head of Planning and Coastal Management, which related to planning application DC/19/3918/FUL.

The application sought planning permission for the construction of a single storey front extension to a detached property in Lowestoft. It was before the Committee as the applicant was an employee of the Council.

The Committee received a presentation on the application from the Development Management Team Leader, on behalf of the case officer.

The site location was outlined, and the Committee was shown photographs of the site. The property in question was the only one in a group of four not to have a detached garage.

The existing and proposed block and floor plans, as well as the proposed elevations, were displayed. The Development Management Team Leader confirmed that the extension would not impact on the vehicle turning area.

The key issues were summarised as siting, external appearance and neighbour amenity impact.

The recommendation to approve, as set out in the report, was outlined.

There being no questions to the officers and no public speaking on the application, the Chairman invited the Committee to debate the application that was before it.

There being no debate, the Chairman moved to the recommendation as set out in the report.

On the proposition of Councillor Cooper, seconded by Councillor Coulam it was by unanimous vote

## **RESOLVED**

That the application be **APPROVED** subject to the following conditions:

1. The development hereby permitted shall be begun within a period of three years beginning with the date of this permission.

*Reason: In accordance with Section 91 of the Town and Country Planning Act 1990 as amended.*

2. The development hereby permitted shall be completed in all respects strictly in accordance with the Site Plan and Drawing No. 2554.19.1 received 15th October and 29th November 2019, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

*Reason: For the avoidance of doubt as to what has been considered and approved.*

3. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

*Reason: To ensure the satisfactory external appearance of the development.*

Informatives:

1. The Local Planning Authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning Policy Framework and local plan to promote the delivery of sustainable development and to approach decision taking in a positive way.

2. East Suffolk Council is a Community Infrastructure Levy (CIL) Charging Authority.

The proposed development referred to in this planning permission may be chargeable development liable to pay Community Infrastructure Levy (CIL) under Part 11 of the Planning Act 2008 and the CIL Regulations 2010 (as amended).

If your development is for the erection of a new building, annex or extension or the change of use of a building over 100sqm in internal area or the creation of a new dwelling, holiday let of any size or convenience retail , your development may be liable to pay CIL and you must submit a CIL Form 2 (Assumption of Liability) and CIL Form 1 (CIL Questions) form as soon as possible to [CIL@eastsoffolk.gov.uk](mailto:CIL@eastsoffolk.gov.uk)

A CIL commencement Notice (CIL Form 6) must be submitted at least 24 hours prior to the commencement date. The consequences of not submitting CIL Forms can result in the loss of payment by instalments, surcharges and other CIL enforcement action.



CIL forms can be downloaded direct from the planning portal:

[https://www.planningportal.co.uk/info/200136/policy\\_and\\_legislation/70/community\\_infrastructure\\_levy/5](https://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy/5)

Guidance is viewable at: <https://www.gov.uk/guidance/community-infrastructure-levy>

### **13 DC/19/4696/FUL - 37 Common Lane, Beccles**

The Committee received report **ES/0301** of the Head of Planning and Coastal Management, which related to planning application DC/19/4696/FUL.

The application proposed a single storey rear extension to 37 Common Lane, Beccles. The application was before the Committee as the Council was the landowner.

The Committee received a presentation on the application from the Development Management Team Leader. The Committee was shown photographs of the site which demonstrated its relationship with the adjacent property.

The existing and proposed block plan was displayed, as well as the existing and proposed elevations and the proposed floor plans.

The key issues were summarised as neighbour amenity impact, size and scale, and design and appearance.

The recommendation to approve, as set out in the report, was outlined.

The Chairman invited questions to the officers.

In response to a question on the design of the rear alleyway, the Development Management Team Leader noted that it was an unusual design but did not constitute a reason for refusal.

It was confirmed that the development could have taken place under permitted development rights, but as an application was made and the site was on Council owned land, the application was required to be determined by Elected Members.

There being no public speaking on the application, the Chairman invited the Committee to debate the application that was before it.

There being no debate the Chairman moved to the recommendation, as set out in the report.

On the proposition of Councillor Goldson, seconded by Councillor Ceresa, it was by a unanimous vote

### **RESOLVED**

That the application be **APPROVED** subject to the following conditions:

1. The development hereby permitted shall be begun within a period of three years beginning with the date of this permission.

*Reason: In accordance with Section 91 of the Town and Country Planning Act 1990 as amended.*

2. The development hereby permitted shall be completed in all respects strictly in accordance with the Site Location Plan and proposed drawing nos. 420/4 (Floor Plans), 420/5 (Elevations), 420/6 (Section) and 420/7 (Block Plan) received 2nd December 2019, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

*Reason: For the avoidance of doubt as to what has been considered and approved.*

3. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

*Reason: To ensure the satisfactory external appearance of the development.*

**Informatives:**

1. The Local Planning Authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning Policy Framework and local plan to promote the delivery of sustainable development and to approach decision taking in a positive way.

2. East Suffolk Council is a Community Infrastructure Levy (CIL) Charging Authority.

The proposed development referred to in this planning permission may be chargeable development liable to pay Community Infrastructure Levy (CIL) under Part 11 of the Planning Act 2008 and the CIL Regulations 2010 (as amended).

If your development is for the erection of a new building, annex or extension or the change of use of a building over 100sqm in internal area or the creation of a new dwelling, holiday let of any size or convenience retail , your development may be liable to pay CIL and you must submit a CIL Form 2 (Assumption of Liability) and CIL Form 1 (CIL Questions) form as soon as possible to [CIL@eastsoffolk.gov.uk](mailto:CIL@eastsoffolk.gov.uk)

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Guidance is viewable at: <https://www.gov.uk/guidance/community-infrastructure-levy>

The meeting concluded at 4.33 pm

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Chairman